

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY LEWIS JONES,

Petitioner,

vs.

WASCO STATE PRISON, et al.,

Respondent.

1:05-CV-050361-AWI-SMS-HC

SECOND ORDER TO SUBMIT  
CERTIFIED COPY OF PRISON TRUST  
ACCOUNT STATEMENT **OR** PAY  
FILING FEE

Petitioner, a state prisoner proceeding pro se, is proceeding with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 4, 2005, the court ordered petitioner to pay the \$5.00 filing fee, or in the alternative, to submit a completed application to proceed in forma pauperis and a certified copy of his prison trust account statement. See 28 U.S.C. § 1915. On April 28, 2005, petitioner filed a completed application. However, petitioner has not filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the petition. See 28 U.S.C. § 1915(a)(2). Petitioner will be

1 provided the opportunity to submit a certified copy of his trust account statement in support of  
2 his request to proceed in forma pauperis, **or** pay the \$5.00 filing fee.

3 In accordance with the above, IT IS HEREBY ORDERED that within thirty days  
4 of the date of service of this order, petitioner shall submit a certified copy of his prison trust  
5 account statement for the six month period immediately preceding the filing of the petition, or in  
6 the alternative, pay the \$5.00 filing fee for this action. Failure to comply with this order will  
7 result in a recommendation that this action be dismissed.

8 IT IS SO ORDERED.

9 **Dated: May 11, 2005**  
23ehd0

**/s/ Sandra M. Snyder**  
UNITED STATES MAGISTRATE JUDGE